

A.D. 10.20, Correctional Enterprises of Connecticut
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1. Policy. The Department shall provide inmates program and work opportunities.
2. Authority and Reference.
 - A. Connecticut General Statutes, Sections 10-17f, 10-69, 10-76, 18-81, 18-85, 18-88, and 18-90a.
 - B. American Correctional Association, Standards for the Administration of Correctional Agencies, Second Edition, April 1993, Standard 2-CO-5A-01.
 - C. American Correctional Association, Standards for Adult Correctional Institutions, Third Edition, January 1990, Standard 3-4175, 3-4200, 3-4203, 3-4318, 3-4394 through 3-4398, 3-4404, 3-4407 and 3-4409.
 - D. American Correctional Association, Standards for Adult Detention Facilities, Third Edition, March 1991, Standards 3-ALDF-3A-09, 3-ALDF-4D-09 and 3-ALDF-5A-01 through 3-ALDF-5A-19.
 - E. Federal Bureau of Justice Assistance Prison Industry Enhancement Certification Program.
 - F. 1990 Americans with Disabilities Act, 29 CFR Part 1630.
 - G. Administrative Directives 4.6, Use of Computers and Related Technology; 6.6, Reporting of Incidents; 9.2, Inmate Classification; 9.5, Code of Penal Discipline; 9.8, Furloughs; and 10.7, Inmate Communication.
3. Definitions. For the purposes stated herein, the following definitions apply:
 - A. Business Plan. The plan for the overall operation of correctional industries.
 - B. Correctional Enterprises of Connecticut (C.E.C.). A Correctional program which incorporates State Use Industries and Private Sector Prison Industries.
 - C. Correctional Enterprises Director. The individual responsible for the overall administration and supervision of correctional industries and the private sector prison industries program.
 - D. Correctional Enterprises Manager. An employee responsible for C.E.C. operations at a specific site(s).
 - E. Work Assignment. A specific inmate job.
 - F. Private Sector Industries Director. An employee responsible for the overall planning and administration of the Private Sector Prison Industries Program.
 - G. Private Sector Prison Industries. A correctional program which uses inmate labor to provide products and/or services to the private sector through a contract with a private employer.
 - H. Shop Supervisor. An employee who manages a shop within an industries operation.
 - I. State Use Industries. A correctional work program using inmate labor that provides goods and services which are marketed to state and federal agencies, municipalities and non-profit organizations.

4. Organization and Development of the C.E.C. Program.

A. Assignment Requirement. No inmate shall have entitlement or a legitimate expectation to any programmatic, work or educational assignment except as provided for by C.G.S. 10-76 regarding special education services for any handicapped person under the age of 21, any adult who has not earned a high school diploma or equivalent under C.G.S. 10-69 and applicable provisions of C.G.S. 10-17f regarding persons under the age of 21 who are dominant in a foreign language. With the exception of inmate's assigned to PSPIE, which shall be voluntary, a sentenced inmate shall not be allowed to refuse or reject any correctional industries work assignment. Such refusal may subject the inmate to disciplinary action as specified in Administrative Directive 9.5, Code of Penal Discipline. A sentenced inmate who is disciplined for refusing a work assignment may be:

1. denied privileges in accordance with Administrative Directive 9.5, Code of Penal Discipline;
2. precluded from a classification reduction; and
3. precluded from consideration for participation in a community release program to include furloughs in accordance with Administrative Directives 9.2, Inmate Classification and 9.8, Furloughs.

No unsentenced inmate shall be required to work except to perform housekeeping activities or as a disciplinary punishment in accordance with Administrative Directive 9.5, Code of Penal Discipline. An unsentenced inmate may elect to work and in such cases shall be compensated in accordance with this Directive.

B. Annual Business Plan. Prior to July 1 for the next fiscal year, the Correctional Enterprises Director shall develop a business plan for correctional industries. The business plan shall also include:

1. a financial plan;
2. standards of performance;
3. policies and procedures regarding administration, fiscal management, safety and security, work conditions, inmate personnel practices, shop practices and marketing;
4. post orders;
5. standards and performance and outcome measures;
6. authorized personnel enumerated in a table of organization;
7. productivity standards;
8. specific goals and objectives;
9. pricing policy;
10. identification of any current and projected program or job assignment by:
 - a. title;
 - b. description;
 - c. location;
 - d. number of slots for each assignment;
 - e. custody level for each slot within the assignment;
 - f. pay level; and

11. the specific business plans from each CEC Manager.
12. The Business Plan shall also address the following:
 - a. a provision for reasonable accommodations for employment of handicapped inmates;
 - b. not discriminate against an inmate for reasons of race, religion, national origin, gender, or sexual orientation; and
 - c. racial/ethnic diversity in the assignment of inmates to job/program assignments and pay.

- C. Selection of Assigned Inmate Participants. Consistent with the approved Business Plan, the C.E.C. Manager shall inform the appropriate facility classification staff of current or anticipated inmate employment requirements and vacancies. Assignment of an inmate to any job shall require prior approval by the facility's classification committee. Inmates shall be required to submit an industries work application directly to the C.E.C. Manager. Facility classification staff shall provide an opportunity for input from the C.E.C. Manager prior to assignment for an industries job. An inmate may be required to complete a pre-employment health screening. Inmates that qualify, will then be interviewed by the respective C.E.C. Supervisor. Once approved, the C.E.C. work application will be sent to classification for a job assignment.
- D. Training. Once hired, an inmate may be required to complete a training program developed by the C.E.C. Director in conjunction with the Unit Administrator. Upon completion, the inmate shall sign to acknowledge receiving such training. The inmate shall continue to receive on the job training and shall be supervised in a manner to promote successful performance.

5. General Assignment and Pay.

- A. Work Rules and Conditions. Each inmate shall report to the place of assignment at the required start time and shall not leave an assignment without permission. Each inmate, regardless of assignment, shall complete all assigned tasks diligently and conscientiously. Refusal to work, avoidance of assigned tasks, failure to complete assigned tasks or meet performance standards, or encouraging others to refuse to participate may result in a poor work evaluation or disciplinary action which may include dismissal from the assignment. No inmate shall be assigned to any position, which allows:
 1. access to any institutional or personal data regarding staff;
 2. access to data regarding inmate housing, assignment, schedules, time and/or attendance records, pay, evaluations, addresses, telephone numbers, property, financial resources, visitors, social security numbers or any other personal information regarding another inmate;
 3. access to sensitive facility management information; and
 4. supervision, control or authority of any kind over another inmate.

No inmate shall be allowed access to use a state phone for personal or state use except as provided in Administrative Directive 10.7, Inmate Communication, and no inmate shall be left unsupervised in an area with an operable non-collect-call-only telephone. Any state telephone in an area accessible to inmates shall be locked with a telephone lock or properly secured when staff are not present.

In accordance with Administrative Directive 4.6, Use of Computers and Related Technology, no inmate shall be allowed to use a computer for any purpose except as specifically required by an educational or work assignment. Inmates shall not use any computer that is connected to a network of any kind, with the exception of the following:

1. education computers that are linked by a closed network hub that shall not provide Internet access;
2. programmatic computers that are linked to a network for use by inmates through the authorized facility Job Centers allowing access to the Department of Labor's website only; and
3. programmatic computers that are linked to a network for use by inmates on community supervision in order to perform programmatic functions.

Such permission shall be in writing and shall cite the limits of authorization as a condition of supervision.

All inmate access to computers shall be closely monitored and no inmate shall be allowed personal use of a computer for any reason.

- B. Safety and Health Procedures. Each correctional employee and inmate shall observe all applicable federal and state safety and health regulations. The Correctional Enterprises Director in consultation with the Unit Administrator shall ensure that appropriate safety and protective equipment is provided for each job station and that each inmate is trained in the safe and proper use and operation of any equipment. This shall also apply to the use and handling of any tool, chemical, hazardous material, or waste which the inmate is expected to operate. An inmate shall immediately report any injury to a supervisor. Medical attention shall be provided as necessary and shall be reported in accordance with Administrative Directive 6.6, Reporting of Incidents.
- C. Assignment Day. The standard assignment shall normally be no less than six (6) hours. The normal assignment may be extended by authorization of the Unit Administrator or Correctional Enterprises Director. All work assignments shall be made through the classification process.
- D. No Participation, No Pay. An inmate shall only be paid in accordance with the C.E.C. Pay Schedule, CN 102001 for actual participation in a classified assignment.
- E. Inmate Performance Evaluation. An inmate shall receive a written performance evaluation utilizing the Inmate Performance Evaluation Form CN 100101, after 30 days in a new or promotional assignment and at least semi-annually thereafter and at such

other times as deemed appropriate. A copy of this evaluation shall be placed in the inmate's institutional file. An overall poor evaluation shall result in a counseling session with the inmate and may result in a referral to classification for possible dismissal or reassignment. The inmate shall receive a copy of each written evaluation.

- F. Removal or Dismissal. Dismissal for failure to perform, or for a chargeable infraction, may be accompanied by a disciplinary charge under the Administrative Directive 9.5, Code of Penal Discipline. A finding of guilty shall not be required for removal or dismissal to occur. Removal for other purposes shall not require disciplinary action. A charge shall not be required when it is determined the inmate is incapable of performing to acceptable standards except that an inmate performance evaluation shall be completed and the inmate may be considered for an alternative assignment.
- G. Pay Period. Based on a facility's Business Plan an inmate shall be paid on a bi-weekly basis in accordance with Section 6 below.

6. Correctional Enterprises Management. The Unit Administrator shall manage industries' security, key and tool control, O.S.H.A and Hazmat requirements, and personnel issues. The Correctional Enterprises Director shall manage industries regarding marketing, production, inventory control, inmate accountability and productivity, personnel issues and the Annual Business Plan.

- A. Operational Management. Each C.E.C. Manager shall be responsible for industries operations and supervision of Shop Supervisors.
- B. C.E.C. Pay Schedule and Pay Scale for Osborn, Cheshire and MacDougall-Walker Correctional Institutions. The C.E.C. pay scale at the above-referenced institutions, with the exception of an authorized incentive pay scale, shall consist of a probationary period plus six (6) additional pay grades. An inmate shall be paid at the probationary pay grade for up to 90 days. An inmate, who successfully completes the probationary period, shall normally be assigned to pay grade I however prior experience and skill may warrant an inmate to be placed at a more appropriate pay level. An inmate shall not be eligible for advancement to the next pay grade for a minimum of 60 days, and only when the inmate is recommended for a pay grade promotion by the Shop Supervisor and approved by the C.E.C. Manager. In addition to the probationary and additional five (5) pay grades noted above, an inmate with three (3) or more years of C.E.C. work experience who is assigned to assist the Shop Supervisor in teaching other inmates how to perform work tasks may be considered for Grade VI. Inmates shall be paid at the rates in accordance with the C.E.C. Pay Schedule, CN 102001.
- C. C.E.C. Pay Schedule for York CI. An inmate working in industries at the York Correctional Institution shall be paid by the keystroke for data entry and data verification in accordance with C.E.C. Pay Schedule, CN 102001. Two (2) inmates shall be required to key and verify one (1) record.
- D. Incentive Pay Scale. For exceptional work contributions that result in a substantial monetary saving to the Department of Correction, a C.E.C. Manager may propose that the inmate responsible for the contribution receive a one-time incentive payment. The incentive payment shall be based on the dollar

amount saved by the Department. The recommendation shall be initiated on the C.E.C. Incentive Payment Recommendation, CN 102002. The recommendation shall require approval by the C.E.C. Manager, the C.E.C. Director, the Deputy Commissioner of Support Services and the Commissioner.

7. Private Sector Prison Industries Requirements and Conditions.

A. Notification to Organized Labor and Business Organizations.

Prior to the implementation of a program requiring federal Private Sector Prison Industries Enhancement Certification (PSPIEC), the Department shall inform the following organizations of its plans:

1. Connecticut Department of Labor;
2. Connecticut Business and Industries Association; and
3. Organized labor.

Such notification shall include a description of the proposed program including:

1. its location;
2. the number of inmates expected to participate;
3. the type of work to be performed;
4. the products to be produced or services to be provided; and
5. the proposed inmate wage plan.

B. Request for Response. The Department shall request the following responses to its plan for a PSPIE program:

1. Department of Labor. The Connecticut Department of Labor shall be asked to provide written guidance that the inmate wage plan is comparable to wages paid for work of a similar nature in the locality. Paid inmate employment shall not result in the displacement of employed workers in crafts or trades in which there is a surplus of gainful labor, or impair existing contracts for services.
2. Business and Industries. The Connecticut Business and Industries Association (CBIA) shall be asked for its comments, concerns and recommendations regarding the proposed project and for referral to any local business or appropriate trade organization potentially affected by the proposed project. The Department shall inform these businesses or organizations of the proposed PSPIEC project and request their comments, concerns and recommendations.
3. Organized Labor. Organized labor shall be asked for its comments, concerns, recommendations and referrals to any appropriate local labor organization regarding the proposed PSPIE project.

C. Annual Updates. The Connecticut Department of Labor and all business and labor organizations that are notified of specific PSPIE plans shall be updated at least annually of the status of those projects and asked for any additional comments, concerns and recommendations.

D. Project Review. The following procedure shall be adhered to when a business venture is proposed.

1. The Private Sector Prison Industries Administrator shall submit recommendations to the Correctional Enterprises Director. The recommendation shall include pertinent information, including, but not limited to:
 - a. the project model (employer, customer, manpower);
 - b. the number of inmates to be employed;
 - c. a market analysis;
 - d. a summary of start-up costs;
 - e. a summary of the applicability of the project given the available labor pool and security level of the facility;
 - f. required technology; and
 - g. a statement of benefits to Correctional Enterprises of Connecticut and to inmates.
2. The Correctional Enterprises Director shall, in consultation with the appropriate Unit Administrator, evaluate the plan.
3. The Deputy Commissioner of Support Services shall evaluate recommendations from the Correctional Enterprises Director, and make a final recommendation to the Commissioner, who shall make the final decision.

E. Private Sector Employers. Any private sector employer of inmates in PSPIE programs shall be required to show proof of coverage by workers' compensation insurance for all inmate employees. Such proof of insurance shall be kept on file in the Fiscal Services Unit. Private sector employers shall be required to meet all local, state and federal health and safety standards. Hours of operation, charges for preparing space for private sector occupancy, and any costs for rent, utilities or management fees to be paid to the Department of Correction, shall be individually negotiated between the private sector employer and the Department. A contract outlining these and other conditions signed by the employer, the Department and the Office of the Attorney General shall exist for every PSPIE program prior to its implementation.

F. Private Sector Prison Industries Pay and Deductions.

1. Pay. Inmate pay for Private Sector Prison Industries shall be in accordance with the contract between the Department of Correction and the private sector employer and in accordance with any requirements for Private Sector Prison Industries Enhancement Certification (PSPIEC).
2. Deductions from Gross Wages. The Department shall provide advanced written notification to an inmate participating in a project requiring PSPIE Certification of deductions to be made from gross wages. Deductions for the cost of incarceration, income taxes (including Social Security), victim's compensation, and family support shall be the only authorized deductions from gross wages. Deductions for victim's compensation shall be mandatory and shall be at least 5% but no more than 20% of the offender's gross wages. As part of the program, total allowable deductions may not exceed 80% of the offender's gross pay.

To administer the Family Support deduction, the Department shall obtain a signed release of information form from the inmate, which shall be a condition of employment. The Department shall then determine through the State Department of Human Resources, if the inmate has an outstanding balance with the Aid to Families with Dependent Children Program, or if there has been a request to the courts for assistance in collection of Child Support. If either of the above apply, the Family Support deduction is made.

3. Restitution Deductions. Deductions from net inmate wages may be made for restitution or payment of compensation to a crime victim ordered by any court having jurisdiction and for payment of a civil judgment rendered in favor of a crime victim by any court having jurisdiction.
 4. Department Expenses. The cost to the Department for expenses incurred for inmate's travel to and from work and other incidental expenses shall be recovered from board deductions.
 5. Inmate Voluntary Participation and Agreement with Wage Deductions. Prior to participating in programs requiring PSPIE Certification, an inmate shall affirm in writing that participation in the program is voluntary and that the inmate agrees to the specified deductions.
8. Exceptions. Any exception to the procedures in this Administrative Directive requires prior written approval from the Commissioner.